

## **CITY OF ALAMEDA**

### Memorandum

To: Honorable Mayor and  
Members of the City Council

From: John A. Russo  
City Manager

Date: May 15, 2012

Re: Adopt a Resolution of Intention to Levy an Annual Assessment on the  
Park Street Business Association Business Improvement Area of the City  
of Alameda for FY12-13 and Set a Public Hearing for June 5, 2012 to Levy  
an Annual Assessment on the Park Street Business Association Business  
Improvement Area

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### BACKGROUND

In 1989, following the Parking and Business Improvement Area Law in the California Streets and Highways Code, the City of Alameda's City Council established regulations for Business Improvement Areas (BIA) in the Park Street and Webster Street commercial areas. The City's regulations are codified in the Alameda Municipal Code (AMC), Section 6-7. This report is for the Park Street BIA, which is managed by the Park Street Business Association (PSBA). Revenues from the BIA directly benefit business owners in specified geographic zones through the general promotion of business activities and public events, beautification and ambiance, construction and maintenance of parking facilities, and special projects benefitting that business area.

State law and the AMC require the City Council to work in collaboration with a BIA advisory board. The board prepares an annual report and provides recommendations to the City Council on the proposed expenditure of BIA revenues for its respective geographic area.

State law and the AMC also require an annual review by the City Council and a yearly consideration of the assessment. PSBA's Board of Directors, designated as the BIA's advisory board, has prepared the Annual Renewal Report for fiscal year (FY) 2012-2013. This report is on file with the City Clerk. After City Council approval of the report, state law requires a Resolution of Intention be adopted declaring the City's intention to levy assessments for the coming fiscal year. The City Council must also set a public hearing to approve the new assessment.

## DISCUSSION

Pursuant to their existing agreement with the City, and as required by State law, PSBA has submitted the attached Annual Renewal Report for City Council approval. Information contained in the PSBA BIA renewal report includes the Proposed Assessment for the PSBA BIA (Exhibit 1), the PSBA 2012-2013 Budget (Exhibit 2), the PSBA Financial Statements for June 30, 2011 (Exhibit 3), the list of Board of Directors (Exhibit 4), and the Association's By-laws (Exhibit 5). PSBA's final budget will be submitted after their May 15, 2012 meeting. This year's renewal is more comprehensive than past years, and in the future the reporting will expand for purposes of detail and transparency. The PSBA Board of Directors will be required to submit an annual audit and detailed budget, as well as a year-end summary of the work plan contained in the renewal. Staff also recommends that future election proceedings be overseen by a neutral organization, such as the League of Women Voters, to ensure proper procedure.

The BIA is funded from fees collected by the City from all businesses within the geographic zone. The PSBA BIA currently has approximately 430 members, and annual fees vary depending on the type of business and its location. Per the original Ordinance 2435, each year the BIA assessment gets an automatic Consumer Price Index (CPI) increase based on the San Francisco Area CPI. This year's CPI increase of 3.5% raises the average business fee to approximately \$273, for an annual BIA collection total of about \$90,000. Included with this report is the FY 2012-2013 BIA assessment fee schedule (Exhibit 6), a map of the BIA (Exhibit 7), as well as a BIA address list within the respective areas (Exhibit 8).

According to AMC Section 6-7.3, BIA money is restricted to five different uses within the area: the general promotion of business activities, promotion of public events, decoration of any public place, furnishing of music in any public place, and the acquiring, construction, and/or maintenance of parking facilities. Included in PSBA's Proposed Assessment is a Work Plan outlining their use of BIA funds. PSBA's signature events, which attract thousands of patrons to the District, include a Spring Festival, an Art & Wine Faire, and a Classic Car Show. In addition to their annual events, PSBA produces a yearly shopping guide, advertises and promotes events in area magazines and local newspapers, and utilizes pre-movie ad campaigns for special events and general promotion of the District at the Alameda Theatre. These activities are designed to improve the vitality of the District in order to increase sales and sales tax revenues, promote members' businesses, attract new businesses, and increase the overall business atmosphere throughout the District.

The annual BIA assessment requires a two-step process. First, the City Council must approve the Annual report and pass a Resolution of Intent to Levy an Assessment and, second, hold a Public Hearing to levy the assessment. The Public Hearing is scheduled for June 5, 2012. At the Public Hearing, the City Council can modify the Assessment

Report or confirm the report as filed. All BIA members receive notification of the Public Hearing in addition to instructions on how to protest the BIA renewal, should they wish to do so. FY 2012-13 Assessments cannot be levied if 50% or more of business owners protest the proposed assessment.

#### FINANCIAL IMPACT

To maximize cost and resource efficiencies, the City's Finance Department has integrated the BIA assessment process with the business license renewal process. Staff bills for and collects assessments for the BIA at the same time it bills for and collects business license fees. Finance Department staff review the status of accounts, answer all related businesses inquiries, address collections, and process checks for the BIA. In processing the BIA assessments for PSBA, the Finance Department expenditures are estimated at approximately \$5,000. In addition, Economic Development and City Attorney staff time is needed to prepare the assessment, draft and review reports, and provide general support to the BIA. This staffing cost has been absorbed within existing staff workloads in an attempt to provide indirect financial support to the business districts.

In an effort to recoup operating costs, staff may recommend that PSBA include a percentage of staff administrative costs in its future budgets. Also, if there is a cost associated with the effort to oversee elections, it should be included in future budgets.

#### MUNICIPAL CODE/POLICY DOCUMENT CROSS REFERENCE

The renewal of the BIA for another year supports the goals of the Economic Development Strategic Plan through continued operation of the business association consistent with A.M.C. Sec. 6-7 et seq.

#### ENVIRONMENTAL REVIEW

This action involves government fiscal activities which do not involve any commitment to any project which may result in a potentially significant physical impact on the environment and is exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines section 15378(b)(4).

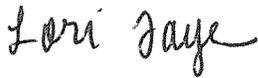
#### RECOMMENDATION

Adopt a Resolution of Intention to Levy an Annual Assessment on the Park Street Business Association Business Improvement Area of the City of Alameda for FY12-13 and Set a Public Hearing for June 5, 2012 to Levy an Annual Assessment on the Park Street Business Improvement Area.

Honorable Mayor and  
Members of the City Council

May 15, 2012  
Page 4 of 4

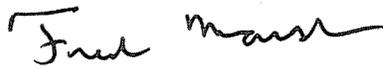
Respectfully submitted,



Lori Taylor  
Community Development Director

By:   
Susan Haley  
Administrative Assistant II

Financial Impact section reviewed,



Fred Marsh  
Controller

Exhibits:

1. Proposed Assessment Report for the Park Street Business Improvement Area
2. PSBA FY 2012-13 Budget
3. PSBA Financial Statements for June 30, 2011
4. PSBA Board of Directors
5. PSBA By-laws
6. BIA Assessment Fee Schedule FY 2012-2013
7. BIA Boundaries Map
8. BIA Address List

cc: Economic Development Commission  
Park Street Business Association

# Park Street Business Association

April 12, 2012

Lori Taylor  
Community Development Director  
City of Alameda  
2263 Santa Clara Ave.  
Alameda, CA 94501

Dear Ms. Taylor:

As President of the Park Street Business Association, I am pleased to submit the attached BIA Report, accompanying 2012/2013 BIA budget for our Association, the PSBA audit, and a listing of the current PSBA board of directors.

We do not anticipate any changes in the BIA boundaries for 2012/2013. We have provided a description of the activities PSBA is proposing for the upcoming year and the associated line item budget.

This attached budget is a draft and will be finalized and approved by the board of directors no later than our board meeting on May 30, 2012. Once finalized and approved by the board of directors, a copy of the BIA budget will be forwarded to you by our executive director. Based on revenue received to date, we anticipate 12/13 BIA revenue of \$87,000 and a carryover surplus of \$500 resulting from cost containment by PSBA staff and the board of directors. This brings our 12/13 BIA budget to \$87,500.

We would be glad to answer any questions you have regarding the attached material.

Sincerely,



Lars Hansson  
President  
Park Street Business Association

# **PARK STREET BUSINESS ASSOCIATION**

2447 Santa Clara Ave., #302, Alameda, CA 94501

## **PROPOSED ASSESSMENT FOR BUSINESS IMPROVEMENT AREA FISCAL YEAR 2012/2013**

### INTRODUCTION:

The Park Street Business Association (PSBA) is recommending a BIA budget of \$87,500 for the Park Street Business District for fiscal year 2012/2013. This recommendation is based on the estimate of the income derived from the BIA assessment in fiscal 12/13 as well as a carryover from the 11/12 budget. The formulas, budgets, and proposed activities are the result of monthly Board of Director and committee meetings between December, 2011, and May, 2012.

### BUDGET:

The BIA is one of two sources of funding for the entire scope of the activities proposed in this report. The other source is funds raised by the Park Street Business Association through our special events. PSBA will continue its current activities, as well as implement new ones, that are in line with the National Main Street Four-Point plan for revitalizing Main Street Cities.

### BOUNDARIES:

We are not proposing any changes this year.

### ACTIVITIES:

Attached is a summary of the proposed activities for the fiscal year 2012/2013. These activities are designed to improve the pedestrian friendly look of the Park Street District, improve the vitality of the District in order to increase sales and sales tax revenues, promote members' businesses, attract new businesses to the District and increase the overall business atmosphere in the Park Street District. Several projects are continuations from the 2011/2012 fiscal year.

### REPORTING

We will complete an annual summary of BIA activities by April 30, 2013

## **2012/13 Membership Committee Work Plan Outline**

1. **Conduct Meetings**
  - a. Mixers (every month)
  - b. Special Election Meeting (October)
  - c. Informational presentations at most of the meetings
  - d. Holiday Party
  
2. **Awards**
  - a. Continue current awards program (recognizing PSBA members and city staff)
  
3. **Welcome New Members**
  - a. Update New Member Packet
  - b. Recruit “greeters” from the Board and Committees to greet new members
  - c. Greet new members to the District with packets as they move into their business
  
4. **Newsletter**
  - a. Continue to email newsletter every month to everyone on email distribution list
  - b. Update mailing list (mail postcard to all BIA members asking for email addresses)

## **2012/13 Design Committee Work Plan Outline**

1. **Design Guidelines**
  - a. Determine acceptable and not acceptable design criteria
  - b. Write Guidelines
  - c. Submit to PSBA Board for Approval
  - d. Work with City Staff to have new ordinances presented to City Council
  
2. **Sign Ordinance**
  - a. Work with City Staff to ensure enforcement
  
3. **Refine New Façade Grant Program (if funded)**
  - a. Newsletter articles.
  - b. Outreach by Committee.
  - c. Work with city to determine new program design.

## **2012/13 Econ-Revi Committee Work Plan Outline**

1. **Assist with Business Recruitment**
  - a. Identify empty storefronts.
  - b. Work with City Staff and contract staff to promote the District as a positive business destination.
  - c. Help arrange site tours for commercial real estate brokers and potential new businesses.
  
2. **Ordinances**
  - a. Vacant Buildings – begin discussions with City Staff to beef up ordinance.
  - b. With City Staff discuss updating the District’s sign ordinance.
  - c. With City Staff discuss historical building ordinance as it would relate to our District.
  
3. **Maintenance**

Continue current level of service – 5 days a week – with private vendor

## **2012/13 Promotions Committee Work Plan Outline**

1. **Continue Special Events**
  - a. Spring Festival (mother’s day weekend)
  - b. Art & Wine Faire (last weekend of July)
  - c. Classic Car Show (2<sup>nd</sup> Saturday in October)
  
2. **Promotions**
  - a. Shopping Guide produced once a year
  - b. Continue to upgrade and update our Web Site
  
3. **Print Advertising**
  - a. Continue Alameda/Oakland Magazines campaign
  - b. Continue newspaper ads for special events
  
4. **Cable Advertising**
  - a. Continue ads for special events
  - b. Work with Comcast to establish a sponsorship agreement
  
5. **Theatre Advertising**
  - a. Participate in the Alameda Theatre’s pre-movie ad campaign
  - b. Three ads for each of our special events running 4 weeks prior to the event
  - c. One generic ad promoting Park Street running all other times

## **METHOD AND BASIS OF LEVYING ASSESSMENT**

Budget:        Sec Exhibit A

### **CONCLUSION**

PSBA would like to thank the Alameda City Council, City Attorney, Economic Development, Public Works and Finance Departments for their assistance in implementing the BIA. The increased participation from the business community and the continued quality of projects has shown the BIA is a valuable tool in our continuing efforts to revitalize the Park Street Historic Business District.

## Park Street Business Association Fiscal Year 2012-2013 Budget

### BIA

<b>INCOME:</b>	<b>12/13</b>
<b><u>Restricted</u></b>	<b><u>Budget</u></b>
BIA Payments (projected)	\$87,000
Carryover	<u>\$500</u>
<b>Restricted Sub Total</b>	<b>\$87,500</b>

<b>EXPENSES:</b>	<b>12/13</b>
<b><u>Restricted</u></b>	<b><u>Budget</u></b>
Liability/D&O Insurance	\$4,500
Office Rent	\$12,000
Audit/Accounting	\$8,400
Pressure Washing	\$8,700
Workers Comp	\$1,500
Payroll Taxes	\$10,700
Postage	\$500
Marketing Manager Salary	\$37,800
Utilities	\$1,700
Supplies	<u>\$1,700</u>
<b>Restricted Sub Total</b>	<b>\$87,500</b>

**Park Street Business Association  
2012/2013 Unrestricted Income Budget**

<b>INCOME:</b>	<b>12/13</b>
<u><b>Unrestricted</b></u>	<u><b>Budget</b></u>
Interest & Misc.	\$4,000
Lot P Fees	\$12,000
Art & Wine Faire (Net)	\$85,000
Carryover	\$7,500
Other Events (Net)	<u>\$33,000</u>
<b>Unrestricted Sub Total</b>	<b>\$141,500</b>

<b>EXPENSES:</b>	<b>12/13</b>
<u><b>Unrestricted</b></u>	<u><b>Budget</b></u>
Staff Salaries	\$87,300
Staff Benefits	\$16,000
Promotion Committee	\$23,800
Other Committees	\$900
Lot P	\$12,000
Meetings/Trainings	\$1,500
Liability/D&O Insurance	<u>\$0</u>
<b>Unrestricted \$ Totals</b>	<b>\$141,500</b>

Committee Budgets 12/13

<u>Promotions</u>	<u>12/13 Budget</u>
Shopping Guide	\$1,500
Cable Ads	\$15,000
Cable Ad Production	\$2,400
Magazine Ads	\$0
Website	\$1,500
Agency Ad Fee (including ad prod.)	\$3,400
<b>Promotions Total</b>	<b>\$23,800</b>

<u>Design</u>	<u>12/13 Budget</u>
Administrative	\$0

<u>Economic Revitalization</u>	<u>12/13 Budget</u>
Administration	\$0

<u>Membership</u>	<u>12/13 Budget</u>
Administration	\$100
Mixers	\$400
Recognition Awards	\$250
New Member Packet	\$150
Holiday/Awards Dinner	\$0
<b>Committee Totals</b>	<b>\$900</b>

**Committees Total**      \$24,700

**PARK STREET BUSINESS ASSOCIATION**

**(A California Not-for-Profit Corporation)**

**FINANCIAL STATEMENTS**

**JUNE 30, 2011**

***Troy Van Sloten CPA***  
***& ASSOCIATES, PC***

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**City Council  
Exhibit 3 to  
Agenda Item #5-H  
05-15-12**

# PARK STREET BUSINESS ASSOCIATION

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## TABLE OF CONTENTS

	Pages
Independent auditors' report	1
Statement of financial position – June 30, 2011	2
Statement of activities for the year ended June 30, 2011	3
Statement of cash flows for the year ended June 30, 2011	4
Statement of functional expenses for the year ended June 30, 2011	5
Notes to financial statements – June 30, 2011	6 - 9
Supplemental information:	
Report on compliance and on internal control over financial reporting based on an audit of financial statements performed in accordance with <i>Government Auditing Standards</i>	10

*Troy Van Sloten CPA*  
& Associates, PC

INDEPENDENT AUDITOR'S REPORT

The Board of Trustees of  
Park Street Business Association

We have audited the accompanying statement of financial position of Park Street Business Association (a nonprofit organization) as of June 30, 2011, and the related statements of activities, functional expenses, and cash flows for the year then ended. These financial statements are the responsibility of the Organization's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Park Street Business Association at June 30, 2011, and the results of its operations and its cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

*Troy Van Sloten CPA & Associates, PC*

Troy Van Sloten CPA  
& Associates, PC  
December 31, 2011

PARK STREET BUSINESS ASSOCIATION  
STATEMENT OF FINANCIAL POSITION  
JUNE 30, 2011

**ASSETS**

**ASSETS:**

Cash	\$ 36,983
Accounts Receivable - City of Alameda	14,446
Prepaid Expenses	<u>1,125</u>

**PLANT, PROPERTY AND EQUIPMENT**

Fixed Assets	26,262
Accumulated Depreciation	<u>(25,353)</u>

Total Assets \$ 53,463

**LIABILITIES AND FUND BALANCE**

**LIABILITIES:**

Accounts Payable	2,739
Unearned Income	13,000
Payroll Tax Payable	<u>4,229</u>

Total Liabilities 19,968

**NET ASSETS**

Unrestricted	18,087
Temporarily restricted by donors	<u>15,408</u>
Total Net Assets	<u>\$ 33,495</u>

**TOTAL LIABILITIES AND  
AND NET ASSETS** \$ 53,463

SEE ACCOMPANYING NOTES TO FINANCIAL STATEMENTS

PARK STREET BUSINESS ASSOCIATION  
STATEMENT OF FUNCTIONAL EXPENSES  
FOR THE YEAR ENDED JUNE 30, 2011

Program	Management and General		Fundraising	Total
Art and Wine Fair	\$ -	\$ -	\$ 45,119	\$ 45,119
Spring Festival	-	-	30,139	\$ 30,139
Car Show	-	-	12,309	\$ 12,309
Committees	91,064	-	-	91,064
Maintenance Expense	25,384	-	-	25,384
Board Approved Expenses	14,886	-	-	14,886
Contingency	-	-	-	-
Printing	-	185	-	185
Postage	-	1,621	-	1,621
Rent and Utilities	-	13,974	-	13,974
Audit/Accounting	-	6,915	-	6,915
Property Tax	-	37	-	37
Supplies	-	3,537	-	3,537
Payroll Taxes	-	12,632	-	12,632
Office Equipment	-	1,313	-	1,313
Executive Director	-	83,700	-	83,700
Staff Support	-	82,603	-	82,603
Meetings/Training	-	2,907	-	2,907
Employee Benefits	-	14,893	-	14,893
Contingency	-	-	-	-
Insurance	-	14,524	-	14,524
Depreciation Expense	-	564	-	564
Newsletter	-	2,075	-	2,075
Collection Expense	-	25	-	25
<b>Total Expenses</b>	<b>\$ 131,334</b>	<b>\$ 241,505</b>	<b>\$ 87,567</b>	<b>\$ 460,406</b>

SEE ACCOMPANYING NOTES TO FINANCIAL STATEMENTS

PARK STREET BUSINESS ASSOCIATION  
STATEMENT OF CASH FLOWS  
JUNE 30, 2011

CASH FLOWS FROM OPERATING ACTIVITIES	
Increase in net assets	
Adjustments to reconcile increase in net assets to net cash used by operating activities	\$ 5,498
Depreciation	564
Decrease in operating assets	
Accounts Receivable - City of Alameda	16,994
Prepaid Expenses	1,072
Increase in Operating Liabilities	
Accounts Payable	
Accrued Expenses	1,174
Unearned Income	<u>4,619</u>
NET CASH USED BY OPERATING ACTIVITIES	29,921
CASH FLOWS FROM INVESTING ACTIVITIES	
Acquisitions of Property and Equipment	-
Purchase of Investment Securities	-
Proceeds from Redemptions of Investments	<u>-</u>
NET CASH USED BY INVESTING ACTIVITIES	<u>-</u>
INCREASE IN CASH	29,921
CASH, beginning of year June 31, 2010	<u>7,062</u>
CASH, end of year June 31, 2011	<u>\$ 36,983</u>

SEE ACCOMPANYING NOTES TO FINANCIAL STATEMENTS

**Park Street Business Association**  
**Notes To Financial Statements**  
**June 30, 2011**

(A) - **ORGANIZATION AND SIGNIFICANT ACCOUNTING POLICIES**

(1) **Organization**

**Park Street Business Association** was incorporated June 22, 1990, has been granted the status of an exempt, charitable organization as provided by the Internal Revenue Service code section 501 (C) (3) and section 23701 (D) of the California Revenue Act promoting the interest of its members, the business and professional persons associated with Park Street Business Association , Inc.

(2) **Funds**

In accordance with accounting principles generally accepted in the United States of America (GAAP), as codified by the Financial Accounting Standards Board. the organization reports information regarding its net assets and activities as unrestricted, temporarily restricted or permanently restricted, depending on the existence and/or nature of any external restrictions.

Support received and revenue earned without any restrictions imposed by external sources is reported as an increase to unrestricted net assets that are available to the Association for day-to-day activities.

Support received that is restricted either by use or time is reported as an increase in temporarily restricted net assets. When a donor restriction expires (i.e. time restriction ends or purpose restriction is accomplished), temporarily restricted net assets are reclassified to unrestricted net assets and reported in the statement of activities as support released from restrictions.

Permanently restricted net assets represent contributions that the donor has stipulated be held in perpetuity. At June 30, 2011, the organization did not have any permanently restricted net assets.

Park Street Business Association 's program expenses are shown in the accompanying statement of functional expenses.

The financial statements of Park Street Business Association have been prepared on the accrual basis.

(3) **Fair Value of Financial Instruments**

The carrying amounts of financial instruments, including cash, certificates of deposit, accounts receivable and accounts payable approximate their fair value due to the short term maturities of these instruments.

(CONTINUED)

**Park Street Business Association**  
**Notes To Financial Statements**  
**June 30, 2011**

(A) - **ORGANIZATION AND SIGNIFICANT ACCOUNTING POLICIES-Continued**

(4) **Estimates**

The preparation of financial statements in conformity with generally accepted accounting principles in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

(5) **Contributions**

Park Street Business accounts for contributions in accordance with recommendations of the Financial Accounting Standards Board (FASB) in Accounting Standards Codification (ASC) 270, Accounting for Contributions Received and Contributions Made. Contributions received are recorded as increases in unrestricted, temporarily restricted, or permanently restricted net assets, depending on the existence or nature of any donor restrictions.

All donor-restricted contributions are reported as increases in temporarily or permanently restricted net assets depending on the nature of the restriction. When a restriction expires (that is, when a stipulated time restriction ends or purpose restriction is accomplished), temporarily restricted net assets are reclassified to unrestricted net assets and reported in the statement of activities as net assets released from restrictions.

(6) **Promises to Give Receivable**

Unconditional promises to give are recognized as contribution revenue in the period received and as assets, decreases of liabilities, or expenses depending on the form of the benefits received. Promises to give are recorded at net realizable value if expected to be collected in one year and at fair value if expected to be collected in more than one year. Conditional promises to give are recognized when the conditions on which they depend are substantially met.

(7) **Cash and Cash Equivalents**

Park Street Business Association considers all highly liquid investments with a maturity of three months or less when purchased to be cash equivalents. Cash and cash equivalents for purposes of the statement of cash flows exclude permanently restricted cash and cash equivalents.

(CONTINUED)

**Park Street Business Association  
Notes To Financial Statements  
June 30, 2011**

(A) - **ORGANIZATION AND SIGNIFICANT ACCOUNTING POLICIES-Continued**

(8) **Capitalization Policy and Depreciation**

Furniture and equipment are being depreciated over estimated useful lives of five to ten years using a straight-line method, with a half of a year's depreciation recognized in the years of acquisition and disposal. Leasehold improvements are being amortized over the shorter of the lease term or useful life.

(B) - **FURNITURE, EQUIPMENT, AND LEASEHOLD IMPROVEMENTS**

The following is a summary of furniture, equipment, and leasehold improvements as of June 30, 2011.

Furniture and equipment	\$26,262
Less: accumulated depreciation	<u>(25,353)</u>
Total:	<u>\$909</u>

(CONTINUED)

**Park Street Business Association  
Notes To Financial Statements  
June 30, 2011**

**(C) - TEMPORARILY RESTRICTED NET ASSETS**

Temporarily restricted net assets are available for the following purposes or periods:

Periods after June 30, 2011	<u>\$ 15,410</u>
Total temporarily restricted net assets	<u>\$ 15,410</u>

Net assets were released from donor restrictions by incurring expenses satisfying the purpose or time restrictions specified by donor as follows:

**(D) - FUNCTIONAL ALLOCATION EXPENSES**

The cost of providing the various programs and activities have been summarized on a functional basis in the statement of activities. Accordingly, certain costs have been allocated among the programs and supporting services benefited.

**(E) - GOVERNMENT CONTRACTS:**

The following county program was included in the audit for the year ending June 30, 2011:

Name	Total Funding	City	Contract #	Contract Period
Community Improvement Plan	\$89,993.00	Alameda	NA	07/01/10-06/30/11

**(F) - SUBSEQUENT EVENTS**

Management has evaluated subsequent events through December 31, 2011, the date on which the financial statements were available to be issued.

**PARK STREET BUSINESS ASSOCIATION**

**SUPPLEMENTAL INFORMATION**

**REPORT ON COMPLIANCE AND ON INTERNAL CONTROL OVER FINANCIAL REPORTING  
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH  
GOVERNMENT AUDITING STANDARDS**

Board of Directors  
Park Street Business Association

We have audited the financial statements of Park Street Business Association (a California not-for-profit organization) as of and for the year ended June 30, 2011, and have issued our report thereon dated December 31, 2011. We conducted our audit in accordance with auditing standards generally accepted in the United States of America, issued by the Controller General of the United States.

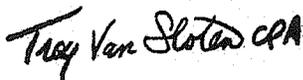
**Compliance**

As part of obtaining reasonable assurance about whether Park Street Business Association's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grants, noncompliance with which could have a direct opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards*.

**Internal Control Over Financial Reporting**

In planning and performing our audit, we considered Park Street Business Association's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operations that we consider to be material weaknesses.

This report is intended solely for the information and use of the Board of Directors and management and is not intended to be and should not be used by anyone other than these specific parties.



Troy Van Sloten CPA  
& Associates, PC  
Pleasanton, California  
December 31, 2011

**Park Street Business Association  
Board of Directors**

***President:***

**Lars Hansson**  
Lars Hansson CPA  
2504 Santa Clara Ave #2  
521-2343 Fax 521-4650

***Vice President:***

**Duane Watson**  
Lee Auto Supply  
1525 Park Street  
522-8811 Fax 522-1957

***At Large Directors:***

**Kyle Conner**  
Alameda Theatre & Cineplex  
2317 Central Avenue  
769-2160 Fax 769-2080

**Evelyn Kennedy**  
Law Offices of James T. Kennedy  
2424 Central Avenue  
748-1120 Fax 748-1120

**Deb Knowles**  
Edward Jones Investment  
1336 Park Street, #D  
749-0403

**Donna Layburn**  
Marketplace  
1650 Park Street  
865-1500 Fax 865-1550

**Vicki Summerfield**  
Ole's Waffle Shop  
1507 Park Street  
522-8108

***Secretary:***

**Bruce Reeves**  
Reeves, Seidler & Howell  
2527 Santa Clara Avenue  
521-8111 Fax 521-3895

***Treasurer:***

**Rob McKean**  
Alameda Publishing Group  
1417 Everett Street  
747-1060 x17 Fax 747-1067

***Committee Chairs:***

**Steve Busse (*EconRevi*)**  
Park Centre Animal Hospital  
2501 Central Avenue  
521-1700 Fax 522-8452

**Scott Erwen (*Design*)**  
Scott's Shoes  
1330 Park Street  
865-5565 Fax 865-1569

**Terry Mitchell (*Membership*)**  
Allstate Insurance  
2504 Santa Clara Avenue  
523-5717 Fax 523-8101

**Duane Watson (*Promotions*)**  
Lee Auto Supply  
1525 Park Street  
522-8811 Fax 522-1957

***Staff***

***Executive Director:***

**Robb Ratto**  
parkstreetrobb@comcast.net  
2447 Santa Clara Ave., #302  
523-1392 Fax 523-2372

***Marketing Manager:***

**Stephanie Prothero**  
parkstreet1@comcast.net  
2447 Santa Clara Ave., #302  
523-1392 Fax 523-2372

By-Laws  
Of  
Park Street Business Association, Inc.  
Revised February 25, 2009

**Article I: NAME**

The name of this organization shall be the Park Street Business Association, Inc., generally referred to as "PSBA". The mailing address shall be 2447 Santa Clara Avenue, Suite 302, Alameda, CA. 94501.

**Article II: PURPOSE**

The purpose of this organization shall be to secure for its members the benefits of a united effort for the extension and promotion of trade, commerce and business; to promote good fellowship and a cooperative relationship among its members; and to promote in general the business interest in the area described in Article III as the Park Street Business District, generally referred to as "the District".

**Article III: PROGRAM**

The program area for PSBA generally is that portion of the Business Improvement Area (referred to as the "BIA") established by the City of Alameda situated around Park Street.

**Article IV: MEMBERSHIP**

Section 1 – Eligibility

Persons operating a business or profession within the boundaries of the Park Street Business District delineated in Article III become members by virtue of their BIA assessment, also established by the City Council on a yearly basis.

Any person operating a business or profession outside the geographic boundaries of the District delineated in Article III that desire to become a member must be approved as stated in Article IV Sec. 2. Any member operating a business or profession outside the geographic boundaries of the District shall not have any voting rights, may not hold an office, and shall not chair one of the 4 standing committees.

Section 2 - Approval

All membership applications from outside the PSBA assessment district must be approved by a simple majority of the Board of Directors.

Section 3 - Assessments

Those members who operate a business or profession within the District and who have paid current BIA assessments are PSBA members in good standing owing no further membership dues. If said assessment has not been paid by October 1 of each calendar year, the member is considered suspended until such time as the Treasurer certifies to the Board that the delinquent dues have been paid. The Executive Director will initiate steps approved by the Treasurer to ensure the payment of the yearly assessments. Written notification of suspension and reinstatement are the responsibilities of the Executive Director.

Section 4 - Dues

Membership dues for individuals and firms outside the PSBA district are set by the Board as necessary. Dues are payable July 1 for the coming fiscal year. The Treasurer is charged with :

**City Council  
Exhibit 5 to  
Agenda Item #5-H  
05-15-12**

By-Laws  
Of  
Park Street Business Association, Inc.  
Revised February 25, 2009

Board of all unpaid members at the October Board meeting. The Board is then responsible for either obtaining the dues or suspending membership. The member is considered suspended until such time as the Treasurer certifies to the Board that the delinquent dues have been paid. Written notification of suspension and reinstatement are the responsibilities of the Executive Director.

Section 5 - Voting

Members, in good standing, operating a business or profession within the District shall be entitled to cast one (1) vote in person or by proxy. Members not operating a business or profession within the District shall have no voting rights.

**Article V: GENERAL MEMBERSHIP MEETINGS**

Section 1 - Types

There are three types of General Membership Meetings: Annual, Special and Regular.

Section 2 - Annual

The Annual Meeting is held each October to elect new Officers and Directors. The Board of Directors shall set the time and location for this meeting at the September Board meeting. All members will be notified of the time and location of the Annual Meeting in the October newsletter.

Section 3 - Special

Special meetings may be called at any time by the President or on the passed motion of the Board. All members shall be notified in writing no less than five (5) days prior to the meeting. Notice must include the subjects to be discussed.

Section 4 - Regular/Mixer

The Membership Committee with the approval of the Board of Directors has the power to schedule regular meetings as it deems appropriate. All members will be notified in the newsletter at least five (5) days prior to the meeting.

Section 5 - Quorum

There shall be no set number constituting a quorum as long as notice of the meeting has been made as set forth in Article V, Section 2, 3 and 4 and at least one PSBA Officer is present.

**Article VI: BOARD OF DIRECTORS**

Section 1 - Number

The PSBA Board of Directors shall consist of at least nine (9) and up to thirteen (13) members: Four (4) officers; President, Vice-President, Secretary, Treasurer, five (5) at large directors. The chairs of the four standing committees (Promotions, Membership, Design, and Economic Revitalization), will be added to the Board of Directors if they are not already an Officer or an At Large Director.

By-Laws  
Of  
Park Street Business Association, Inc.  
Revised February 25, 2009

Section 2 - Election

The Directors and Officers as described shall be elected in October of each year at the Annual Meeting as prescribed in Article V, Sec 2. Members are to be notified in writing in the October newsletter of the upcoming election. A nominating committee consisting of three members: one (1) Officer, one (1) Director and one (1) PSBA member who is not on the Board shall be appointed by the President no later than August 31. The nominating committee shall prepare a slate of candidates and with the approval of the President present it to the Board for approval no later than September 30. The slate of Officers and Directors approved by the Board will be published in the October Newsletter. At the October annual meeting the names of the nominees shall be announced and members in good standing may make nominations from the floor. If an office has only one nominee, the office shall be considered to be filled by unanimous vote. Should there be more than one nominee for any position, it shall be filled by a majority secret ballot vote of the members present and all proxy votes in the possession of PSBA. All proxy votes must be delivered to the PSBA office at least 48 hours prior to the annual meeting for verification of being a member in good standing. The elections shall be conducted by the Vice President and Secretary. In their absence, the election may be conducted by another officer and the Executive Director.

Section 3 - Term of Office

Newly elected Directors will, at the start of the calendar year following the election, serve for a term of two (2) years. An at large Director may serve as an Officer in his/her second year in office providing he/she resigns as an at large Director. The terms of the at large Directors shall overlap so that at any one election only two (2) or three (3) new at large Directors shall be elected to the board.

The President will, at the start of the calendar year following the election, serve for a term of two years. The Vice-President, Secretary, and Treasurer will, at the start of the calendar year following the election, serve for a term of one year.

Members of the Board of Directors and Officers shall hold office for the term for which he/she has been elected and until his/her successor shall have been elected.

Section 4 - Board Vacancy

Any vacancy occurring on the Board of Directors (other than from the normal expiration of office) may be filled by the affirmative vote of a majority of the current members of the Board of Directors. The member elected to fill the vacancy shall serve the remaining months of the unexpired term. A Board Member may resign by submitting written notice to the Secretary. The Board may, at any time, pass a resolution removing a Board Member with or without cause by a 3/4 majority vote. A Director absent from three consecutive regular

Board meetings, without just cause, may be removed from the Board by a two thirds (2/3) vote in the affirmative.

Section 5 - Board Authority

The Board of Directors shall have the authority to conduct the business of the Park Street Business Association.

By-Laws  
Of  
Park Street Business Association, Inc.  
Revised February 25, 2009

Section 6 - Fiscal Responsibility

Neither the Board of Directors, nor any individual Officer, or Director, shall have the authority to incur a debt in the name of PSBA in excess of the total funds held in all PSBA checking accounts or any foreseeable income from association events or projects.

Section 7 - Suspension

Any PSBA Officer or Director suspended as described in Article IV, Sec. 3 shall relinquish any authority connected to that office until such time as the Officer or Director is properly reinstated in good standing.

Section 8 - Meetings

Regular meetings of the Board shall occur monthly. The Board may set the time and place by resolution. No further notice need be given. Special meetings of the Board may be called by the President or five (5) Directors. Notice of a special meeting shall be made to all Board members in writing at least five (5) days prior to the meeting and shall include the reason for calling the meeting, who called the meeting, and the subject of the meeting.

Board meetings are open to members in good standing and invited guests of the Board, except those meetings specifically designated as executive sessions. Board meetings can move from open session to executive session by a majority vote of Board members present.

Five (5) Board Members, to include at least one (1) Officer, shall constitute a quorum for the transaction of business. If there are not five (5) Board Members including at least one (1) Officer present then those present may adjourn the meeting.

Section 9 - Directors Acting Without a Meeting

Any action taken by the Board without a meeting but mentioned in writing shall have the same force as if taken at a regular Board Meeting, provided that the action is ratified by a simple majority vote at the next regularly scheduled Board meeting and the action is incorporated in written minutes of the proceedings.

Section 10 - Compensations of Directors

Officers, Directors and members of committees may receive such compensation for their services and/or reimbursement for expenses as determined by a Board resolution.

**Article VII: STANDING COMMITTEES**

Section 1 - Committee Duties and Responsibilities

The Association shall have four (4) standing committees: Promotion, Design, Economic Revitalization and Membership. Each committee shall consist of not less than three (3) and no more than six (6) members and shall have as a chairperson a member of the committee who shall be responsible for directing and coordinating

By-Laws  
Of  
Park Street Business Association, Inc.  
Revised February 25, 2009

the affairs of the committee. The chairs of the four (4) standing committees will be nominated by the President no later than the January Board meeting and approved by the Board of Directors.

The Chair of each standing committee will become a voting member of the Board unless they are already an elected officer or an At Large Director. The terms of the four (4) committees chairs shall be for one year coinciding with the term of the Vice-President, Secretary, and Treasurer. There shall be no limit to the number of times an individual may be appointed to chair a specific committee at the discretion of the President.

Section 2 - Selection of Committee Members

Standing committee members will be selected by the committee chairs. Their terms will expire on December 31 of the calendar year they are selected. There shall be no limit to the number of times an individual may be appointed to a specific committee at the discretion of the committee chair.

**Article VIII: OFFICERS**

Section 1 - Titles

The officers of this Association shall consist of a President, Vice President, Secretary and Treasurer. Officers shall be elected to office as prescribed in Article VI, Sec. 2.

Section 2 - President

The President will chair the regularly scheduled Board meetings. He/she will be the official representative of the organization to the community. The President shall nominate all standing committee chairs and the chairs of PSBA special events for Board Approval. The President is the only Board Member authorized to enter into contractual agreements with outside agencies, both public and private.

Section 3 - Vice President

In the absence or incapacitation of the President, the Vice-President shall discharge the duties of that office, including entering into contractual agreements with outside agencies, both public and private.

Section 4 - Secretary

The Secretary shall maintain a complete record of the Board and Membership Meetings and shall see that Board Members and General Members are notified of the meetings as prescribed in prior sections. The PSBA staff carries on the correspondence of the organization. The Secretary will be the next in line, after the Vice-President, to discharge the office of the President.

Section 5 - Treasurer

The Treasurer shall, with the Executive Director, keep complete financial records of the Association. These records shall be available at all times to the Board. This officer is also to insure that checks are never drawn against insufficient funds, is responsible for insuring that each check is signed by two of three designated signatories and that expenditures receive any necessary prior approval. All bills or other indebtedness must be paid with proper documentation to support such payment. The Treasurer shall be responsible for having a balance sheet prepared after the close of the fiscal year as prescribed in Article XI, Section 2, and for making

By-Laws  
Of  
Park Street Business Association, Inc.  
Revised February 25, 2009

notification to the Board of members' unpaid dues as prescribed in Article IV, Section 3. The Treasurer will be the next in line, after the Vice-President and the Secretary, to discharge the office of the President.

**Article IX: EXECUTIVE DIRECTOR**

Section 1 -

The Executive Director of the Association shall manage the daily operations of the Association. He/she will be supervised on a regular basis by the President. The Executive Director shall be responsible for coordinating the implementation of the Association's policies and projects and any other duties as the Board of Directors may require. The Executive Director shall receive for his/her services such compensation as may be determined by the Board of Directors. The Executive Director will be a non-voting member of the Board of Directors and shall be present at all Board and General Membership meetings. The Executive Director is responsible for having written notification of suspension and reinstatement of members as prescribed in Article IV, Section 3.

**Article X: FINANCES**

Section 1 -

Except as the Board of Directors may generally or in particular cases authorize the execution thereof in some other manner, all checks, drafts and other instruments for the payment of money and all instruments of transfer of securities shall be signed in the name and on behalf of the Association by the two of three designated signatories.

Section 2 -

All funds of the organization shall be deposited from time to time to the credit of the organization in such banks, trust companies or other depositories as the Board of Directors may select.

Section 3 -

The Board of Directors may accept on behalf of the Association any contribution, gift, bequest or device for the general purposes or for any special purpose of the Association.

Section 4 -

Each year the Board shall approve a budget for the fiscal year, and forward that portion of the budget that represents BIA funds to the City of Alameda for its approval. The approved budget may be reviewed and revised periodically as deemed necessary by the Board,

**ARTICLE XI: GENERAL PROVISIONS**

Section 1 -

The fiscal year of the Association shall begin on the first day of July in each year.

By-Laws  
Of  
Park Street Business Association, Inc.  
Revised February 25, 2009

Section 2 -

No later than three (3) months after the close of each fiscal year, the Association shall prepare:

- A. A balance sheet showing in reasonable detail the financial condition of the Association at the close of the fiscal year.
- B. A statement of the source and application of funds showing the results of the operation of the Association during the fiscal year.

**Article XII: AMENDMENTS & OTHER BUSINESS**

Section 1 - Amendments

(a) The Board of Directors shall have the power to alter, amend or repeal the By-Laws or adopt new By-Laws by a two-thirds (2/3) affirmative vote of the total board membership at any duly called meeting of the Board, provided that no such action shall be taken if it would in any way adversely affect the Association's qualifications under Section 501c(6) of the Internal Revenue Code of 1954 or corresponding sections of any prior or future law, and provided that no such action shall be taken if it would in any way adversely affect any of the Association's agreements with the City of Alameda, including but not limited to the BIA.

(b) Amendments to these By-Laws can be passed by a two-thirds (2/3) vote of the total PSBA membership at any General Membership meeting provided such written notification has been made at least five (5) days prior to the meeting and the notification included the proposed amendments.

Section 2 - Dedication of Assets

The property and assets of this incorporated Association are irrevocably dedicated to its purpose as stated in Article II. No assets, upon dissolution, shall inure to the benefit of any private person or any member, Director or Officer of this Association. Upon Board approval, it shall direct that its assets be transferred and dedicated to another organization with similar purpose.

**PARK STREET BUSINESS IMPROVEMENT AREA  
ALAMEDA BUSINESS IMPROVEMENT AREA - NON-RETAIL  
FISCAL YEAR 2012-13**

Professionals and independent contractors who primarily go out into the public to sell to clients and/or do not operate retail stores.

Accountant			
Advertising			
Ambulance		<b>AREA A = \$ 139.00</b>	
Answering service			
Architect		<b>AREA B = \$ 90.00</b>	
Attorney			
Building maintenance			
Business services			
Construction			
Consultants			
Contractors			
Counselor			
Credit Unions with restricted membership			
Decorator		<b>PRO-RATED FEES</b>	
Electrician			
Employment		A	B
Engineer			
Gardener		<u>\$139.00</u>	<u>\$ 90.00</u>
Graphic arts			
Handyman	JULY	139.00	90.00
Health/Medical professions			
Importers	AUG	127.00	83.00
Insurance			
Landscape	SEPT	116.00	75.00
Mail order			
Manufacturer	OCT	104.00	68.00
Manufacturer's/sales reps			
Mortuary	NOV	93.00	60.00
Newspaper publishing			
Nursing facility	DEC	81.00	53.00
Painters			
Pest control	JAN	70.00	45.00
Plumber			
Property management	FEB	58.00	38.00
Real estate			
School/Instruction	MAR	46.00	30.00
Security			
Stockbrokers	APR	35.00	25.00
Tax consultants			
Travel	MAY	25.00	25.00
Veterinary			
Wholesalers	JUNE	25.00	25.00
Misc. professional/office			

**City Council  
Exhibit 6 to  
Agenda Item #5-H  
05-15-12**

**PARK STREET BUSINESS IMPROVEMENT AREA  
ALAMEDA BUSINESS IMPROVEMENT AREA - RETAIL SERVICE  
FISCAL YEAR 2012-13**

Businesses that operate a store where people go to purchase a service.

Alarm and fire extinguisher service

Appliance service

Athletic/Health Club

Auto glass

Auto upholstery

Auto wash/parking

Auto repair

Barber

Beauty

Cleaners

Electronics service

Furniture repair

Hotel/motel

Keys/Locksmith

Laundromat/laundry

Marine service

Pet services

Photography studio

Printing

Shoe service

Storage

Tailor

Tattoo

Upholstery

**AREA A = .40/1,000 GR**

MINIMUM = \$ 134.00

MAXIMUM = \$1,763.00

**AREA B = .20/1,000 GR**

MINIMUM = \$ 87.00

MAXIMUM = \$866.00

**PRO-RATED MINIMUM FEES**

	A	B
	<u>\$139.00</u>	<u>\$90.00</u>
JULY	139.00	90.00
AUG	127.00	83.00
SEPT	116.00	75.00
OCT	104.00	68.00
NOV	93.00	60.00
DEC	81.00	53.00
JAN	70.00	45.00
FEB	58.00	38.00
MAR	46.00	30.00
APR	35.00	25.00
MAY	25.00	25.00
JUNE	25.00	25.00

**PARK STREET BUSINESS IMPROVEMENT AREA  
ALAMEDA BUSINESS IMPROVEMENT AREA - RETAIL GOODS  
FISCAL YEAR 2012-13**

Businesses that operate a store where people go to purchase a product.

Alcoholic  
Amusement  
Antiques  
Appliances sales

**AREA A = .40/1,000 GR**  
MINIMUM = \$ 273.00  
MAXIMUM = \$1,825.00

Art  
Auto dealer  
Auto stereo  
Auto supply

**AREA B = .20/1,000 GR**  
MINIMUM = \$ 139.00  
MAXIMUM = \$ 917.00

Bakery  
Bar  
Bicycles  
Books  
Clothing  
Coin  
Computer sales

**PRO-RATED MINIMUM FEES**

Drug/variety  
Electronics sales  
Fishing  
Floor coverings  
Florist  
Food  
Furnishings  
Furniture  
Gasoline stations

	A	B
	<u>\$273.00</u>	<u>\$139.00</u>

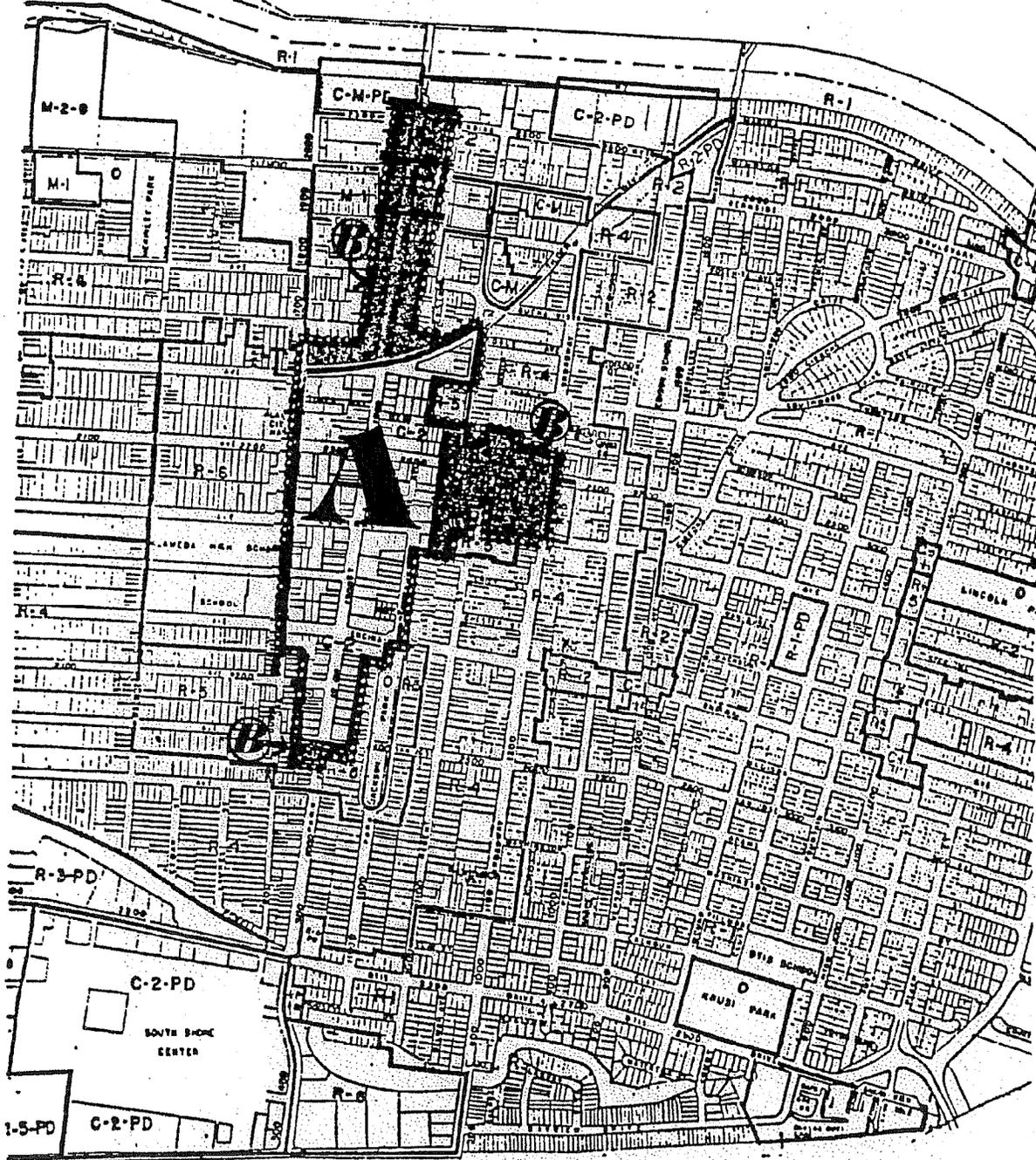
Gift  
Hardware  
Hobby  
Jewelry  
Magazines/newspaper sales  
Marine sales  
Market  
Medical supplies  
Music  
Nursery  
Office supplies/equipment  
Optical supplies  
Pet supply  
Product rentals  
Restaurant  
Shoe sales  
Sporting goods  
Thrift/used merchandise  
Theater/club  
Video  
Other retail goods

	A	B
JULY	273.00	139.00
AUG	250.00	127.00
SEPT	228.00	116.00
OCT	205.00	104.00
NOV	182.00	93.00
DEC	159.00	81.00
JAN	137.00	70.00
FEB	114.00	58.00
MAR	91.00	46.00
APR	68.00	35.00
MAY	46.00	25.00
JUNE	25.00	25.00

**PARK STREET BUSINESS IMPROVEMENT AREA  
ALAMEDA BUSINESS IMPROVEMENT AREA  
FINANCIAL INSTITUTIONS/UTILITIES  
FISCAL YEAR 2012-13**

Banks  
Savings and Loans  
Credit Unions operating to the general public  
Utilities

**AREA A & B = \$ 917.00**



## PARK STREET COMMERCIAL AREA

- A: Benefit Area A
- B: Benefit Area B

Exhibit B  
Business Improvement Area  
Webster Street Boundaries



**WEBSTER STREET COMMERCIAL AREA**

- A: Benefit Area A
- B: Benefit Area B

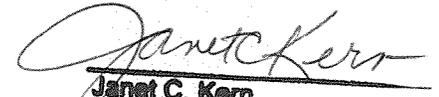
## LIST OF ADDRESSES WITHIN BIA BOUNDARIES

### A ZONE

Alameda Ave	1200-2399 odd/even	Park Street
Buena Vista Ave	616-750 odd/even	Webster St
Central Ave	630-736 odd/even	Webster St
	2300-2499 odd/even	Park Street
Eagle Ave	633-707 odd/even	Webster St
Encinal Ave	2300-2499 odd/even	Park Street
Haight St	629-728 odd/even	Webster St
Lincoln Ave	627-726 odd/even	Webster St
Oak Street	1300-1599 even only	Park Street
Pacific Ave	626-730 odd/even	Webster St
Park Ave	1300-1399 odd only	Park Street
	1400-1499 odd/even	Park Street
Park Street	1125,1198,1252-1999 odd/even	Park Street
San Antonio Ave	2312-2399 odd/even	Park Street
Santa Clara Ave	700-720 odd/even	Webster St
	2300-2499 odd/even	Park Street
Taylor St	634-725 odd/even	Webster St
Times Way	2300-2399 odd/even	Park Street
Webb Ave	2400-2499 odd/even	Park Street
Webster St	1345-1999 odd/even	Webster St

### B ZONE

Broadway	1400-1509 odd only	Park Street
Central Ave	2501,2521	Park Street
Everett St	1400-1519 odd/even	Park Street
Park Street	1125,1198,1600-1999	Park Street
	1200-1251 odd/even	Park Street
Lincoln Ave	2267-2499 odd/even	Park Street
Santa Clara Ave	2500-2599 odd/even	Park Street

  
Janet C. Kern  
City Attorney

CITY OF ALAMEDA RESOLUTION NO \_\_\_\_\_.

RESOLUTION OF INTENTION TO LEVY AN ANNUAL ASSESSMENT ON THE PARK STREET BUSINESS IMPROVEMENT AREA OF THE CITY OF ALAMEDA FOR FY12-13 AND SET A PUBLIC HEARING FOR JUNE 5, 2012

WHEREAS, Section 6-7 of Article II of Chapter VI of the Alameda Municipal Code establishes the Alameda Business Improvement Area of the City of Alameda (hereinafter "Area"); and

WHEREAS, the Area comprises all of the Park Street Business Area included by reference on the map and list of inclusive addresses included in this Resolution as Exhibit 6 and 7, respectively; and

WHEREAS, the improvements and activities authorized by the Ordinance include the general promotion of business activities in the Area, the promotion of the public events which are to take place on or in public places in the Area, the decoration of any public place in the Area, the furnishing of music in any public place in the Area, and the acquisition, construction or maintenance of parking facilities for the benefit of the Area; and

WHEREAS, agreements between the City of Alameda (hereinafter "City") and the Park Street Business Association (hereinafter "PSBA") designated PSBA to administer Business Improvement Area (hereinafter "BIA") funds for their respective geographic zones of the BIA; and

WHEREAS, PSBA has filed reports with the City Clerk describing the surplus or deficit revenues to be carried over from FY11-12 and describing the improvements and activities, estimated costs and methods and basis for levying the assessment for FY12-13.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alameda that PSBA is hereby designated as the BIA Advisory Body for FY12-13; and

BE IT FURTHER RESOLVED that the City Council hereby sets a public hearing to consider the annual assessment for the Area for June 5, 2012, at which time written or oral protests may be made; and

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to advertise said public hearing by causing this Resolution of Intention to be published once in a newspaper of general circulation in the City not less than seven days before the public hearing.

\* \* \* \* \*

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 15<sup>th</sup> day of May, 2012, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 16<sup>th</sup> day of May 2012.

---

Lara Weisiger, City Clerk  
City of Alameda